

Serial No.: 10/671,940
Docket No.: 101-1007
Amendment dated February 5, 2008
Reply to the Office Action of November 14, 2007

REMARKS

Introduction

Applicants note with appreciation that claim 9 has been deemed allowable if rewritten in independent form, and that claims 25-32 have been allowed. Claims 12-24 and 33-39 are withdrawn from consideration.

Upon entry of the foregoing amendment, claims 1-11, 25-32, and 40-42 are pending in the application. Claims 1 and 40-41 have been amended. No new matter is being presented. In view of the following remarks, reconsideration and allowance of all the pending claims are requested.

Rejection under 35 USC §102 to Meyer

Claims 1-8 and 11 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,239,817 to Meyer. Applicants respectfully request reconsideration and withdrawal of this rejection for at least the following reasons.

Independent Claim 1

Referring to independent claim 1, in the Office Action dated November 14, 2007, the Examiner alleges that Meyer discloses all the limitations recited in independent claim 1. In particular, the Examiner relies on cockle ribs 72-82 and 84-94 of Meyer as allegedly reading on Applicants' "first and second support beams extending away from the first and second wall portions of the ink collector in the paper feed direction and in an opposite direction to the paper feed direction, respectively, and alternately arranged with each other in a scan direction," as previously recited in independent claim 1 of Applicants' invention. In addition, the Examiner alleges that "beams extend in the feed direction since they have a length extending in that direction, and also in the direction opposite to the paper direction, due to their length." See page 3, lines 13-15 of the Office Action dated November 14, 2007. Applicants respectfully submit that the cockle ribs 72-82 and 84-94 of Meyer do not extend in a paper feed direction or in an opposite direction to the paper feed direction, since these cockle ribs only extend in a

Serial No.: 10/671,940
Docket No.: 101-1007
Amendment dated February 5, 2008
Reply to the Office Action of November 14, 2007

vertical direction (i.e., a direction perpendicular to the paper feed direction or the opposite direction to the paper feed direction) from the tops of side wall portions of Meyer's platen 30.

However, Applicants respectfully submit that even if the Examiner's interpretation of Applicants' independent claim 1 were correct, which it is not, Meyer does not teach or disclose, among other things, "first and second support beams connected to and extending away from inner portions of the first and second wall portions of the ink collector which face each other in the paper feed direction and in an opposite direction to the paper feed direction, respectively, and alternately arranged with each other in a scan direction," as presently recited in independent claim 1 of Applicants' invention. Referring to FIG. 3 of Meyer, as relied upon by the Examiner, it is clearly illustrated that the cockle ribs 72-82 and 84-94 of Meyer are not "connected to and extending away from inner portions of the first and second wall portions of the ink collector which face each other," as presently recited in independent claim 1 of Applicants' invention. In contrast, as stated above, the cockle ribs 72-82 and 84-94 of Meyer extend in a vertical direction from the tops of side wall portions of Meyer's platen 30. Accordingly, Meyer does not teach all of the limitations of independent claim 1.

It is well established that "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as contained in the...claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). "The elements must be arranged as required by the claim..." In re Bond, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990). Accordingly, since Meyer does not teach or disclose all of the elements set forth in independent claim 1, this claim is patentably distinguishable from Meyer. Thus, Meyer cannot be properly used to reject independent claim 1 under 35 U.S.C. §102(b) as submitted in the Office action mailed on November 14, 2007, and withdrawal of this rejection and allowance of this claim are respectfully solicited.

Dependent Claims 2-8 and 11

With respect to claims 2-8 and 11, it is respectfully submitted that for at least the reason that claims 2-8 and 11 depend from independent claim 1, which is patentably distinguishable from Meyer for at least the reasons provided above, and therefore contain each of the features

Serial No.: 10/671,940
Docket No.: 101-1007
Amendment dated February 5, 2008
Reply to the Office Action of November 14, 2007

as recited in independent claim 1, dependent claims 2-8 and 11 are also patentably distinguishable from Meyer, and withdrawal of this rejection and allowance of these claims are respectfully solicited.

Rejection under 35 USC §102 to Kodama

Claims 1, 40 and 41 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Publication No. 2005/0078147 to Kodama et al. (hereinafter "Kodama"). Applicants respectfully request reconsideration and withdrawal of this rejection for at least the following reasons.

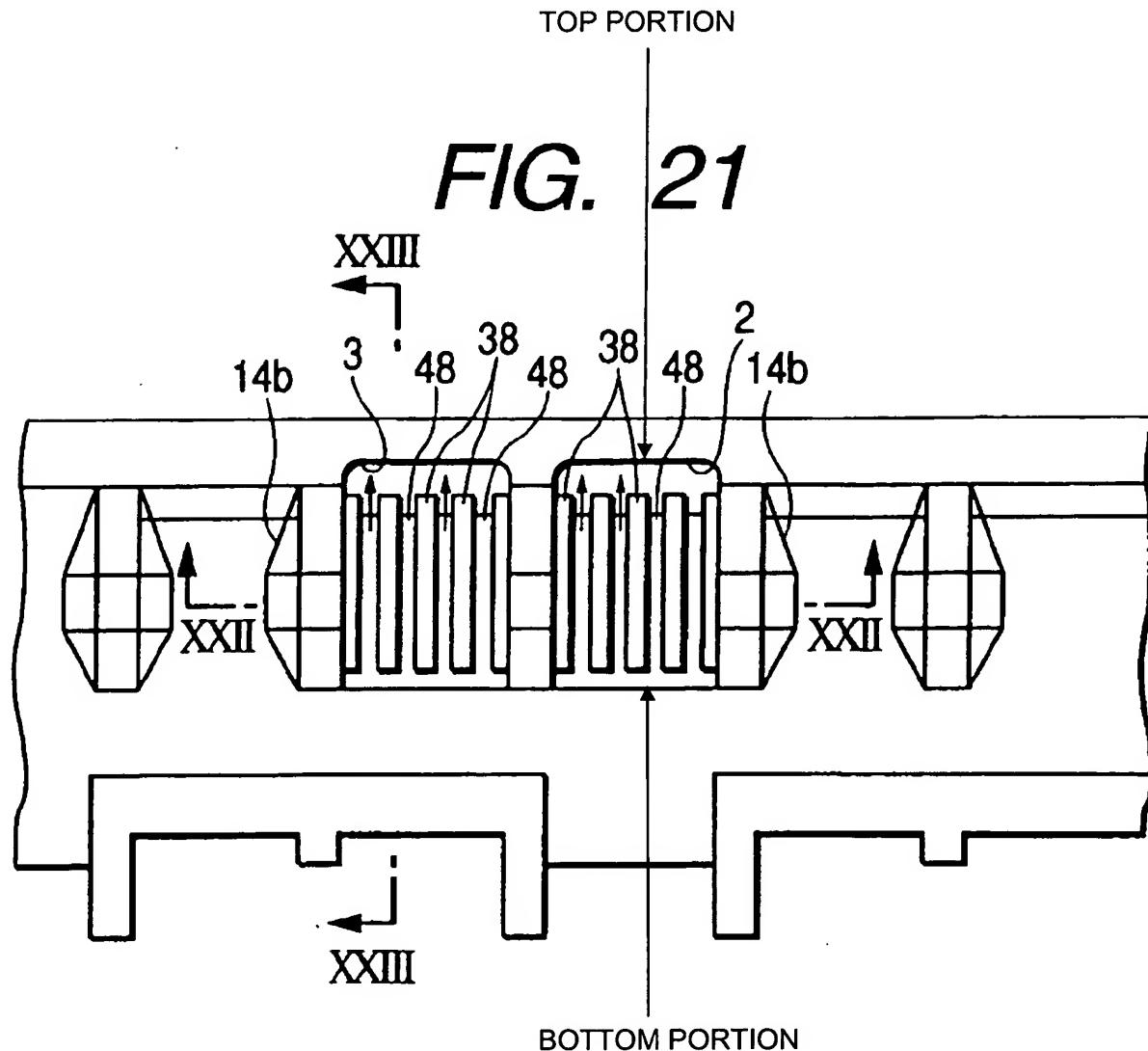
Independent Claim 1

Referring to independent claim 1, in the Office Action dated November 14, 2007, the Examiner alleges that Kodama discloses all the limitations recited in independent claim 1, in particular "first and second support beams extending away from the first and second wall portions of the ink collector in the paper feed direction and in an opposite direction to the paper feed direction, respectively, and alternately arranged with each other in a scan direction," as previously recited in independent claim 1 of Applicants' invention. See the Office Action of November 14, 2007, page 5, lines 7-11. Moreover, the Examiner alleges that "since the ribs [38] have dimensions in the paper feed direction (thickness), they extend in the paper feed direction and in a direction opposite the paper feed direction." See the Office Action of November 14, 2007, page 8, lines 4-5.

However, referring to FIG. 22 of Kodama, as relied upon by the Examiner, even though the ribs 38 have dimensions in the paper feed direction, the ribs 38 still do not read on being "connected to and extending away from [] first and second wall portions of the ink collector in the paper feed direction and in an opposite direction to the paper feed direction, respectively," as presently recited in independent claim 1. If the ribs 38 can be interpreted as "extending," the ribs 38 can only be interpreted as extending from the inside of protuberances 14b in a scanning direction. To be properly interpreted as being "connected to and extending away from first and second wall portions in the paper feed direction and in an opposite direction to the paper feed direction," as recited in independent claim 1 of Applicants' invention, the ribs 38 would need to

Serial No.: 10/671,940
Docket No.: 101-1007
Amendment dated February 5, 2008
Reply to the Office Action of November 14, 2007

be connected to and extend away from top portion and bottom portions of a hole 2 of Kodama, as pointed out by Applicants in FIG. 21 of Kodama below.



Kodama's FIG. 21 clearly illustrates that none of the ribs 38 are connected to nor extend away from either the top portion or the bottom portion of the hole 2. Accordingly, Kodama does not teach or disclose, among other things, "first and second support beams connected to and extending away from inner portions of the first and second wall portions of the ink collector which face each other in the paper feed direction and in an opposite direction to the paper feed direction, respectively, and alternately arranged with each other in a scan direction," as presently recited in independent claim 1 of Applicants' invention.

Serial No.: 10/671,940
Docket No.: 101-1007
Amendment dated February 5, 2008
Reply to the Office Action of November 14, 2007

Therefore, since Kodama does not teach or disclose all of the elements set forth in independent claim 1, this claim is patentably distinguishable from Kodama. Thus, Kodama cannot be properly used to reject independent claim 1 under 35 U.S.C. §102(e) as submitted in the Office action mailed on November 14, 2007, and withdrawal of this rejection and allowance of this claim are respectfully solicited.

Independent Claim 40 and 41

Referring to independent claims 40 and 41, in the Office Action dated November 14, 2007, the Examiner alleges that Kodama discloses all the limitations recited in independent claims 40 and 41, in particular “one or more first support beams extending away from the first opposing wall portion of the ink collector in a paper-feed direction partially across the defined space, and one or more second support beams extending away from the second opposing wall portion of the ink collector in an opposite direction to the paper feed direction partially across the defined space,” and “first and second support beams extending away from the first and second opposing wall portions of the ink collector in a paper-feed direction and an opposite direction to the paper feed direction, respectively, to segment the defined space of the ink collector without partitioning the defined space,” as previously recited in independent claims 40 and 41 of Applicants’ invention, respectively. See the Office Action of November 14, 2007, page 5, lines 17-22 and page 6, lines 5-8. Moreover, the Examiner alleges that “since the ribs [38] have dimensions in the paper feed direction (thickness), they extend in the paper feed direction and in a direction opposite the paper feed direction.” See the Office Action of November 14, 2007, page 8, lines 4-5.

However, as stated above regarding independent claim 1, referring to FIG. 22 of Kodama, as relied upon by the Examiner, even though the ribs 38 have dimensions in the paper feed direction, the ribs 38 still do not extend “in the paper feed direction” and “in an opposite direction to the paper feed direction,” as recited in independent claims 40 and 41. If the ribs 38 can be interpreted as “extending,” the ribs 38 can only be interpreted as extending from the inside of protuberances 14b in a scanning direction. To be properly interpreted as extending away from wall portions “in the paper feed direction” and “in an opposite direction to the paper feed direction,” as recited in independent claims 40 and 41, the ribs 38 would need to extend away from top portions and bottom portions of a hole 2 of Kodama, as pointed out by

Serial No.: 10/671,940
Docket No.: 101-1007
Amendment dated February 5, 2008
Reply to the Office Action of November 14, 2007

Applicants in FIG. 21 of Kodama above. Therefore, Kodama also does not teach or disclose, among other things, “one or more first support beams extending away from the first opposing wall portion of the ink collector and toward the second opposing wall portion in a paper-feed direction partially across the defined space, and one or more second support beams connected to and extending away from the second opposing wall portion of the ink collector and toward the first opposing wall portion in an opposite direction to the paper feed direction partially across the defined space,” and “first and second support beams connected to and extending away from the first and second opposing wall portions of the ink collector in a paper-feed direction and an opposite direction to the paper feed direction, respectively, to segment the defined space of the ink collector without partitioning the defined space,” as presently recited in independent claims 40 and 41, respectively.

Accordingly, since Kodama does not teach or disclose all of the elements set forth in independent claims 40 and 41, these claims are patentably distinguishable from Kodama. Thus, Kodama cannot be properly used to reject independent claims 40 and 41 under 35 U.S.C. §102(e) as submitted in the Office action mailed on November 14, 2007, and withdrawal of this rejection and allowance of these claims are respectfully solicited.

Rejection under 35 USC §103

Claim 10 is rejected under 35 U.S.C. §103(a) as being unpatentable over Meyer in view of U.S. Patent No. 5,997,129 to Matsuhashi. Applicants traverse this rejection for at least the following reasons.

Applicants respectfully reference MPEP § 2143.03, which states that “[i]f an independent claim is nonobvious in view of one or more references, then any claim depending therefrom is also nonobvious. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).” Since claim 10 depends from independent claim 1, which was shown above to be allowable, claim 10 is therefore allowable as well.

Furthermore, the Examiner admits that Meyer does not teach all of the limitations of dependent claim 10, and therefore relies upon Matsuhashi to disclose the limitations lacking in Meyer, namely “a second support beam with round end portions.” See Office Action of

Serial No.: 10/671,940
Docket No.: 101-1007
Amendment dated February 5, 2008
Reply to the Office Action of November 14, 2007

November 14, 2007, page 6, lines 19-20. However, even if Matsuhashi does disclose the limitations of dependent claim 10, Applicants respectfully submit that Matsuhashi does not remedy the deficiencies of Meyer regarding independent claim 1, from which claim 10 depends. More specifically, Matsuhashi does not teach or suggest, among other things, "first and second support beams extending away from inner portions of the first and second wall portions of the ink collector which face each other in the paper feed direction and in an opposite direction to the paper feed direction, respectively, and alternately arranged with each other in a scan direction," as presently recited in independent claim 1 of Applicants' invention. Since Matsuhashi does not teach or suggest the limitations lacking in Meyer, Matsuhashi does not teach all of the limitations of claim 10.

As set forth in the discussion of dependent claim 10, since neither Meyer nor Matsuhashi, separately or in combination, teach or suggest all of the elements as recited in independent claim 1, from which claim 10 depends, these documents cannot be properly used to reject dependent claim 10 under 35 U.S.C. §103(a) as submitted in the Office action mailed on November 14, 2007, and withdrawal of this rejection and allowance of this claim are respectfully solicited.

Serial No.: 10/671,940
Docket No.: 101-1007
Amendment dated February 5, 2008
Reply to the Office Action of November 14, 2007

Conclusion

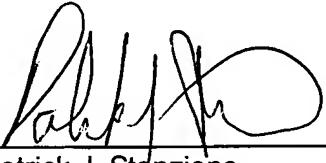
It is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, there being no other objections or rejections, this application is in condition for allowance, and a notice to this effect is earnestly solicited.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided below.

If any further fees are required in connection with the filing of this amendment, please charge the same to our Deposit Account No. 502827.

Respectfully submitted,

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